

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63713 of 2023

Arising Out of PS. Case No.-97 Year-2023 Thana- KORMA District- Sheikhpura

Shankar Ram son of Vasudev Ram Village- Bhadausi PS- Korma Dist-
Sheikhpura

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Ajit Kumar, Adv
		Mr.Dinkar Kumar, Adv
For the Opposite Party/s :		Mr.Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Korma P.S. Case No. 97 of 2023 registered for the offences punishable under Sections 25(1-b)a/26/35 of the Arms Act. He has got one criminal antecedent in which he is said to be on bail.

3. As per the prosecution story, on 12.07.2023 at about 05:00 P.M. the informant along with other police officials on secret information reached at the house of Shankar Ram and on seeing the police party, the accused persons started fleeing away and they managed to escape. It is alleged that on search of the house of Shankar Ram (this petitioner), one country-made pistol loaded with three live cartridges and three cartridges were recovered.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner has no concern with the alleged recovery of arms and ammunition.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case wherein it is submitted that the petitioner has been made accused on mere suspicion but this Court has noticed that the seizure list is showing recovery of country made pistol and three live cartridges from the house of the petitioner and he has got one criminal antecedent, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

7. The Prayer for anticipatory bail of the petitioner is, thus, refused.

8. In case the petitioner surrenders and prays for regular bail in the learned court below within a period of four weeks after Pooja Holidays, his prayer for regular bail shall be considered on its own merit without being prejudice by the order of this Court.

9. This application stands disposed of.

(Rajeev Ranjan Prasad, J)

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